

10/532

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Holly PRENTICE

Appl. No.: 10/532,197 (U.S. National
Phase of PCT/US2003/033433)

Int'l. Filing Date: October 22, 2003

For: **High Expression Locus Vector
Based on Ferritin Heavy Chain
Gene Locus**

Confirmation No.: To be assigned

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2159.0580001/EKS/ELE

**Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(b)***Mail Stop Amendment*Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08A and Form PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents **FP1** and **NPL1-NPL13** are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached Form PTO/SB/08A and Form PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return copies of the enclosed Form PTO/SB/08A and Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eldora L. Ellison
Attorney for Applicant
Registration No. 39,967

Date: October 18, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

442194_1.DOC

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/532,197 (U.S. National Phase of PCT/US2003/033433)
--------------------	---

Filing Date	Int'l Filing Date: October 22, 2003
-------------	-------------------------------------

First Named Inventor	Holly Prentice
----------------------	----------------

Art Unit	To Be Assigned
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

Examiner Name	To Be Assigned
---------------	----------------

Attorney Docket Number	2159.0580001/EKS/ELE
------------------------	----------------------

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

442248 1.DOC

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). * See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. * Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). * For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. * Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. * Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/532,197 (U.S. National Phase of PCT/US2003/033433)
				Filing Date	Int'l Filing Date: October 22, 2003
				First Named Inventor	Holly Prentice
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	2159.0580001/EKS/ELE

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	NPL1	Guo, J.-H., <i>et al.</i> , "Expression and Loading of Recombinant Heavy and Light Chain Homopolymers of Rat Liver Ferritin," <i>Arch. Biochem. Biophys.</i> 335:197-204, Academic Press, Inc. (1996)	
	NPL2	Hentze, M.W., <i>et al.</i> , "Cloning, characterization, expression, and chromosomal localization of a human ferritin heavy-chain gene," <i>Proc. Natl. Acad. Sci. USA</i> 83:7226-7230, The National Academy of Sciences (1986)	
	NPL3	Klausner, R.D., <i>et al.</i> , "Regulating the Fate of mRNA: The Control of Cellular Iron Metabolism," <i>Cell</i> 72:19-28, Cell Press (1993)	
	NPL4	Kwak, E.L., <i>et al.</i> , "Role for NF- κ B in the Regulation of Ferritin H by Tumor Necrosis Factor- α ," <i>J. Biol. Chem.</i> 270:15285-15293, The American Society for Biochemistry and Molecular Biology, Inc. (1995)	
	NPL5	Marziali, G., <i>et al.</i> , "Transcriptional Regulation of the Ferritin Heavy-Chain Gene: the Activity of the CCAAT Binding Factor NF-Y Is Modulated in Heme-Treated Friend Leukemia Cells and during Monocyte-to-Macrophage Differentiation," <i>Mol. Cell. Biol.</i> 17:1387-1395, American Society for Microbiology (1997)	
	NPL6	NCBI Entrez, GenBank Report, Accession No. AY147930, Prentice, H.L., Entry Date September 2005	
	NPL7	NCBI Entrez, GenBank Report, Accession No. M18051, Murray, M.T., <i>et al.</i> , Entry Date September 2005	
	NPL8	NCBI Entrez, GenBank Report, Accession No. M18052, Murray, M.T., <i>et al.</i> , Entry Date September 2005	
	NPL9	NCBI Entrez, GenBank Report, Accession No. M18053, Murray, M.T., <i>et al.</i> , Entry Date September 2005	
	NPL10	Shin, Y.-M., <i>et al.</i> , "Enhanced Iron Uptake of <i>Saccharomyces cerevisiae</i> by Heterologous Expression of a Tadpole Ferritin Gene," <i>Appl. Environ. Microbiol.</i> 67:1280-1283, American Society for Microbiology (March 2001)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/532,197 (U.S. National Phase of PCT/US2003/033433)
				Filing Date	Int'l Filing Date: October 22, 2003
				First Named Inventor	Holly Prentice
				Art Unit	To Be Assigned
Examiner Name	To Be Assigned				
Sheet	2	of	2	Attorney Docket Number	2159.0580001/EKS/ELE

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	NPL11	Thompson, J.D., <i>et al.</i> , "CLUSTAL W: improving the sensitivity of progressive multiple sequence alignment through sequence weighting, position-specific gap penalties and weight matrix choice," <i>Nucleic Acids Res.</i> 22:4673-4680, Oxford University Press (1994)	
	NPL12	Urlaub, G., <i>et al.</i> , "Effect of Gamma Rays at the Dihydrofolate Reductase Locus: Deletions and Inversions," <i>Som. Cell. Mol. Genet.</i> 12:555-566, Plenum Publishing Corporation (1986)	
	NPL13	Wilson, C., <i>et al.</i> , "Position Effects on Eukaryotic Gene Expression," <i>Annu. Rev. Cell. Biol.</i> 6:679-714, Annual Reviews Inc. (1990)	

442196_1.DOC

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.